G. R. S. IX-5]

Previous references.
G 7 164-C 58-87)
C. 510-1906-7)
5 143-18(1-3)
4 140-18(1-6)

Later references.
CB 107-33-1143
C 12-38-67

1921-22
(Courts)

File No. 131-20
Serial Nos 1, 2, 3, 4 and 5.

Preserve
M. 17.1.43

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Five

Part B for December 1921.

SUBJECT.

Whether the Chief Court Deputy Registrar's post is a Gazetted one or not.

Sd 5) To The Comptroller to Govt
4 Financial Secy to Govt
4 Registrar, Chief Court.

No. 9986-S/C 131-20-8 A/20-8-21

Directs that the Deputy Registrar of the Chief Court be treated as a Gazetted Officer.

WD 1888—GPB—16,926—23-7-21

14/12/21

G. R. S. 11] 1920-21

GENERAL AND REVENUE SECRETARIAT.

(Gts.)

NOTES.

File No. 31-20

FILE HEADING.

Whether the Chief Court Dy Registrar's post is a gazetted one or not.

From

The Comptroller

No. 3059-A.D. Dated 8-11-20. Received on 13-11-20.

Diary No. 10291	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests to know whether the Chief Court Deputy Registrar's post is a gazetted one or not.

NOTES AND ORDERS.

Submitted for orders. ~~The appointment of~~ Dy. G.O. No. 7300-Ests-51-19-6, ~~it was ordered~~ dt. 2-10-20, it was ordered that the appointment of Dy Registrar of the Chief Court may be taken out of the Cadre of Munsiffs: The

Entered in D. [illegible] 121-20.

NOTES—First Sheet.

1025

(2)

G. R. S. III-2]

General and Revenue Secretariat. | C5 File No. 131 of 1920

Serial No.

Comptroller wants to know whether the appointment is to be treated as a Gazetted one or not.

T. S. 26/11/20 868

2) Since the appointment has been taken out of the cadre of members, it seems to be a point for consideration whether it may not be treated as a non-Gazetted one.

Revenue
III Member

D. M. 25/11

3) How are the Chief Supdts. of the Seats treated

Bar Regr. & Sec.

Lee 25.11.20

D. M. 26/11

4) To the Cash Section for favour of a note on the point.

Asst 26/11

5) Subd. Reference is invited to para 7 of G.O. 8 26.6.14. defining the status of the Supdts of the G.R.S. Their appointments are being notified.

6) The Dy. Registrar's appointment also is notified.

KW 4/12

7) The Dy Registrar, the Chief Superintendents and Superintendents are not Gazetted Officers. The Dy Registrar has been permitted to draw his pay on a Gazetted officer's salary bill.

CGJ 6.1

NOTE—Contn. sheet.

6/12

G. R. S. III-2]

General and Revenue Secretariat. | C5 File No. 131 of 19 20

Serial No.

Subd forwarded

Rev: Secy 10/12 D. M. 13/12

8) I would like to know with some definiteness wherein lies the separating line between gazetted and non gazetted officers. The Comptroller himself may be asked if need be.

Sd
13.12.20

D. M. 13/12

Sds 13/12
U. O. No 35 of 20.
9.16.12.20.

9) Forwarded U.O. with Compliments to the Comptroller to Govt: for favour of remarks.

R. C. Dharmadwaja
for Secy to Govt:
Rev: Dept:
16/12/20

R/168 & 17/12/20

179-R
No 1262
G.A.D. & 21.12.20.

10) Returned with Compliments. There is no line of demarcation between an officer of gazetted rank and one of non-gazetted rank and each case has to be decided on its own merits, as stated in para 1 of letter No 26

22 DEC 1920

Note—Contn. sheet.

G. R. S. III-2]

12421

(4

General and Revenue Secretariat. | File No. | of 19

Serial No.

No 7862-G.F 13-18-2 dt 26.4.1920 from the Financial Secretary to the Comptroller. A reference on this subject is invited to this office Correspondence ending with official Memo No G 37.51-7-PDS.44-19-3 dt 16.8.20. This question was also under discussion in 1906. Vide Government Circular Memo No 2L 4656-701-G.F 1664-5 dt 27.11.1906. How the question was then decided is not known.

C. Rajagopalachariar
for Comptroller
21/12/20

Dy. No. 23/12

Rec: see)

1) May be treated as a Non Gazetted Post.

3rd member) -

3.1.21

Dy. No. 4/1

3502/4-1-21

(2) The exact scope of this term 'Gazetted Post' is not defined. Since 1906 it is understood as any post of which the pay scale lies within the limits of Rs 200 to Rs 1000 per mensem.

NOTE.—Contn. sheet.

G. R. S. III-2]

12421

General and Revenue Secretariat.

No File No. 131 of 1920.

Serial No.

What ever may be the exact legal position that arises, he must be distinguished from clerks & simple managers of shops. He the shop keeper is treated in a form what different manner from his clerks & public servants. The Dy Registrar & his assistants in fact & distinctly states the legal papers for the Registrar He should be treated as a Gazetted Officer In my opinion the facts & circumstances bring him in fact in my opinion negative the finding treated, But because they are not so treated, it is not fair to lower his status for Dy Registrar.

Khr
5/1/21

DEPUTY COMMISSIONER'S OFFICE.
Recd. on JAN 7 1921
Reg. No. 4604

Dewan) 6.1.21

Dy. Mr. 6/1

What is the definition of Gazetted & non-Gazetted officers in these Rules? May not we frame that Rule in terms of salary & draw a line in each case of? The Commissioner should be consulted & submit this before we can answer his question in this case.

8.1.21 Copy taken
14) Draft letter to Registrar
10.1.21 Dr.

NOTE—Contn. sheet.

General and Revenue Secretariat. | C5 File No. 131 of 1920

Serial No.	
	15) Send with a draft. Ess 11/1/21 Ah 11/1 16) Please issue to-day D. M. 19/1
2	To the Comptroller to Government. No. G. 14119 dt 20-1-21. Enquires what the definitions of Gazetted and non-Gazetted officers are in other Governments?
3	From The Comptroller, No. GAD 582 D 18-2-21 Forwarded copy of a letter of the Accountant-General, Madras on the definition of the terms gazetted and non-gazetted service. Sent with reference to para 13. 16) 17) The line of demarcation between gazetted and non-gazetted services in Madras seems to be that separating the Provincial Service from the Subordinate service. Generally speaking, officers who are appointed by the

Sup A 29/1

NOTE—Contn. sheet.

G. R. S. III-2]

1795

General and Revenue Secretariat. | File No. 131 of 1920.

Serial No.

Local Govt and who are gazetted by them are treated as gazetted officers, while those who are appointed and gazetted under orders of Govt by the heads of Depts are treated as non-gazetted officers.

Q 38 2-1-21 38) Subd forwdrs, with reference to para 13 supra.

8/3

Rev: Secy

III Member

D. M. 8/3

21) The Madras Rule can not, obviously, be adopted here in its entirety.

22) The Comptroller may be asked for his proposals with a draft rule for adoption, having regard to local circumstances.

3rd Member). 10.3.21.

23) Agree

16/3/21

O.S. Draft.

D. M. 18/3

GF 166-05-1-37 and 73-18-1-2 Cus. Rule. Dept S. 4449-3 has not been received in this Secrett.

5247 10-3-21

Draft destroyed as it was not issued. 19/3

NOTE.—Contn. sheet.

G. R. S. III-2]

1648 1753 D 3798

General and Revenue Secretariat. | C.S. File No. 131 of 1920.

Serial No.

4 From the Comptroller No. 625/G dt. 4th March 1921 forwards copy of letter of the Accountant General, Bombay in the matter of the definition of Gazetted and non-Gazetted officers.

2-5) Send with a draft.

Ess 21/3/21 26) The general question of the definition of a Gazetted officer has all along been dealt with in the Fin[l] Sectt, as the reference collections put up show. This file may, it seems, be transfered to the Fin[l] Sectt for further action.

27) If, however, it is considered that the question maybe further dealt with in this Sectt, the whole file may perhaps be sent unofficially to the Comptroller for favour of sending suitable proposals; as he will then be in a position to know all the previous correspondence & discussions on the subject

Subd DD 21/3 28) In view of the discussions in P.C. 1664-65, the file may perhaps be sent to the Fin[l] Sectt for further action.

Fin[l] Sectt

D. Sec. 30/3

Fin: Sectt 29) Yes, please

Fin[l] Sectt) D. Sec. 31/3 31.3.21.

FINANCIAL SECRETARIAT

NOTE—Contn. sheet.

D 3798

G. R. S. III-2]

General and Revenue Secretariat. | CB File No. 131 of 1920.

Serial No.	
F — 30)	Refce is invited to the Resolution of the Council of 7.4.20 on the above subject.
Subd. 31)	The point was also incidentally discussed in connection with the complaints regarding the admissibility of H.P. allowance &c.
6.4.	Please look up the Govt orders &c.
8/4	
32)	The file referred to above — SFA 23-20-35136 is put up.
34)	Submitted.
15/4	27.6.21.
3836 29/6	35) This q^n has several times been considered in the past and it has been found possible to give any definition of the terms — Sarelles Tierra — without unsettling existing understanding in many cases. In view of this consideration the general q^n has been ordered to be dropped. Please see Comml Resolution of 9-4-20 — Individual cases have to be dealt on their merits.
	36) May be returned to Audit Dept.
	(S.) 2

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 137 of 1921.

Serial No.

37) Kind reference is invited to paras 8, 12 & 13 of the notes. It seems to be a point for consideration whether it is not desirable to make the meaning of the term, which is of common occurrence in official documents, clear and certain for the very reasons contained in the H: Secretary's opinion.

39) Submitted for orders.

D. M. 1/8

Rev Secy
2nd Member

38) This has not been considered feasible by

883
2.8.21.

40) In view of the H. Secy's observations under date 15.7.21, it would seem that the only thing to be done now is to decide the case of the Dy Regr, as may be deemed expedient. He may be treated as a Gazetted Off.

1.8.21.

41) The Under Secretary may submit D. M. 1/8 the file with suggested procedure.

7/8

9.8.21

Dewan) 42) No objections

11-8-21

43) Draft letter to above

DEWAN'S OFFICE.
Recd. on AUG 10 1921
Reg. No. 911.

NOTE—Contn. sheet.

24881

General and Revenue Secretariat. | File No. 131 of 1921-22

Serial No.	
44)	Submitted with a draft for approval 24/8/21 2nd Member 44)
	45)
	46) Please do so to-day D. M. 20/8
5	To the Comptroller to Govt the Financial Secy to Govt the Revision Sch Court No 9 806-8 dt 20-8-192 Dwarki that the Deputy Revision & the Sch Court be treated as a Gazetted officer.

Note—Contn. sheet.

1025 | 12

20 21

Please address all future communications to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.
In reply to this Comm. please refer to
No. 305/GAD

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

FILE NO.
SERIAL No.

Dated, Bangalore, the 8th Nov 1920.

FROM

T. Satyaraj Chetty, Esq., B.A.,
~~M. N. KRISHNA RAO, ESQ., B.A.,~~
~~*Offg.*~~ *Comptroller to the Government of His Highness the Maharaja of Mysore.*

To

C. S. Balasundaram Iyer, ..., Esq., B.A.,
Chief *Secretary to the Government of Mysore,*
Bangalore. ~~*Department*~~

O.H. PROTECTION BRANCH. 13 NOV 1920

SIR,

Adverting to Government Order No.7300-1/Cts.51-19-6 dated 2nd October 1920, directing that the appointment of Deputy Registrar, - Chief Court, be taken out of the cadre of Munsiffs and that the pay of the appointment be fixed at Rs200-10/1-300, I have the honor to request that you will be so good as to intimate whether the present appointment is to be regarded as a Gazetted or a non gazetted one.

I have the honor to be,
Sir,
Your most obedient servant,

Assistant Comptroller.

MSR/8-11.

WD.0922—GPB—3,000—14-12-16

C. O. 42–Rec.—17]

....Department

191 .

FROM

M. N. KRISHNA RAO, ESQ., B.A.,

Offg. Comptroller to the Govt. of

H. H. the Maharaja of Mysore.

To

.....Esq.,

Secretary to the Govt. of Mysore,

Dept.

Dated

Despatched

Received

No.....

Subject matter.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, the *191* .

Date of issue 20/1

Signed by M Pm

Section Ots

File No. 131-20.

Serial No 2

No. 41491

To

The Comptroller.

Sir,

With reference to your letter no 305-G.A. dt 20th Nov. requesting to be informed whether the post of the Deputy Registrar of the Chief Court in the new grade is to be treated as a gazetted or non-gazetted office, I am directed to enquire whether the

over.

14

definitions of gazetted and non-gazetted officers are in other Governments.

I have the

19/1. per Rees Esq.

See Telel 21 Jan 11/1

List of enclosures.

Copied by

Examined by

17953

20-21

Immediate

Please address all future communications to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.
In reply to this Comm. please refer to
No. GAD.582.E/-1

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

18th February 1921.

Dated, Bangalore, the 191 .

131-20

3

FROM

T. Satyaraj Chetty Esq., B.A.,
~~M. N. KRISHNA RAO, ESQ., B.A.~~,
~~Offg~~. *Comptroller to the Government of His Highness the Maharaja of Mysore.*

REV. SECTT.
21 FEB 1921
54651

To

G. Aravamudu Iyengar Esq., B.A., ~~ESQ.~~, B.L.,
Secretary to the Government of Mysore,
Revenue *Department.*

SIR,

In reply to your letter No.14 119/Cts.131-20-2 dated 20th January 1921 re the definition of the terms Gazetted and Non-Gazetted Officers, I have the honor to state that the Accountant Generals of Madras and Bombay were written to in the matter. A copy of letter No.G.A.55-Mis.3554 dated 9th February 1921 received from the Accountant General, Madras, is enclosed herein. No reply has as yet been received from the Accountant General, Bombay.

I have the honor to be,

Sir,

Your most obedient servant,

T. Satyaraj Chetty
Comptroller.

SAM

WD.0922—GPB—3,000—14-12-16

C. O. 42-Rec.—17]

....Department

191

FROM

M. N. KRISHNA RAO, ESQ., B.A.,

Offg. Comptroller to the Govt. of

H. H. the Maharaja of Mysore.

To

.....ESQ.,

Secretary to the Govt. of Mysore,

Dept.

Dated

Despatched

Received

No.....

Subject matter.

Letter No.G.A.55-Mis.3554 dated 9th February 1921 from the Accountant General, Madras,to the Comptroller, Mysore Government, Bangalore.

With reference to your letter No.GAD.530, dated the 29th January 1921, I have the honor to forward herewith an extract of paragraph 174-A. of this office Manual of the Gazetted Audit Department defining the terms gazetted and non-gazetted Officers, which is based on Government of India, Home Department, Public, No.35, dated 8th November 1893 communicated with the order of the Government of Madras No.933, Public, dated the 18th November 1893.

Copy of paragraph 174-A of the Gazetted Audit Department.

174-A. The broad line of demarcation between gazetted and non-gazetted officers should be that which separates the Provincial from the Subordinate service. All officers belonging to the Provincial Service (including Munsiffs, except in the Pubjab and Central Provinces, where these officers are placed in the subordinate service) should be held to be Gazetted officers within the meaning of the Civil Service Regulations; while members of the subordinate service should not come within that category even if their appointments are published in the Gazette. As a general rule and except in very special cases such as that of Munsifs in the Madras Presidency, who are gazetted by the High Court, all appointments which it is decided to include in the Provincial Service shall be gazetted by the Local Government, and shall be held to be gazetted officers within the meaning of the Civil Service Regulations; while those in the subordinate service shall, if gazetted at all, be gazetted by the heads of departments who have the power to make them under the orders of

of the Local Government.

The case of officers serving in other departments, such as Medical, Registration, Police or Jails, should be governed by the same rule; that is to say, where Government makes the appointment it should gazette, and only appointments so made should be recognised as gazetted appointments within the meaning of the Civil Service Regulations; in other cases heads of departments should gazette appointments of officers subordinate to them subject to the orders of the Local Government as to any limit which it may think it expedient to lay down.

It should be clearly understood that notifications investing officers with powers under different Acts, in order that the Courts may take judicial cognizance of them, do not constitute the persons invested with such powers "Gazetted Officers" within the meaning of the Civil Service Regulations.

It is the practice for the heads of Imperial Departments named in the margin to issue notifications relating to officers serving under them in Part II of the Gazette of India. The orders contained in the present resolution are not intended to take away these powers; nor do they render officers so gazetted non-gazetted officers.

---

1. Director-General of Post Offices.
2. Commissioner of Northern India, Salt Revenue Department.
3. Surveyor-General of India.
4. Director-General of Geological Survey of India.
5. Inspector-General of Forests.
6. Director-General of Railways.
7. Director-General of Telegrams.
8. Accountant-General, Public Works Department.
9. Surgeon-General with the Government of India.
10. Director-General of Military Works.

"C O P Y"

Superintendent,
Records Section,
Comptroller's Office.

SAM.

Please address all future communications to the Comptroller to the Govt. of H.H. the Maharaja of Mysore.
In reply to this Comn. please refer to
No. 625/GAD. 2/2

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Dated, Bangalore, the 4 Mar 1921.

FROM

T. Satyaraj Chetty, Esq., B.A.,
~~M. N. KRISHNA RAO, Esq., B.A.,~~
Comptroller to the Government of
His Highness the Maharaja of Mysore.

To

B. Ramaswamayya, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Revenue *Department.*

SIR,

In continuation of this office letter No.582/GAD dated 18th February 1921 regarding the definition of the terms Gazetted and Non Gazetted Officers, I have the honor to forward herewith for the information of Government, a copy of letter No.G.53/6442 dated 24th February 1921 received from the Accountant General of Bombay in the matter together with a copy of its enclosure.

I have the honor to be,
Sir,
Your most obedient servant,

Assistant Comptroller.

MSR/3-3.

WD A 0610—GPB—5,000—10-8-17

C. O. 42-Rec.—17]

.....Department

191

FROM

~~M. N. KRISHNA RAO, ESQ., B.A.~~,
Comptroller to the Govt. of
H. H. the Maharaja of Mysore.

To

.....ESQ.,
Secretary to the Govt. of Mysore,
Dept.

Dated

Despatched

Received

No.....

Subject matter.

Copy of letter No.G.53/6442 dated 24th February 1921, from the - Accountant General, Bombay, to the Comptroller to the Government of Mysore, Bangalore.

==========

With reference to your letter No.GAD 530 dated the 29th of - January 1921, I have the honor to forward herewith for your information a copy of para 21 of the Bombay Supplement to the Civil Service Regulation, defining the terms Gazetted and Non Gazetted Officers.

========

Superintendent, Records Section,
Comptroller's Office.

MSR/3-3.

Copy of para 21 of the Bombay Supplement to Civil Service Regulatio

==========

The term "Gazetted Officer is generally held to apply to an officer whose appointment is gazetted by Government and not by the Head of a Department. The broad line of demarkation between - Gazetted and non gazetted officers should be that which separates Provincial from the subordinate service. And all officers belonging to the Provincial Service should be held to be the Gazetted Officers within the meaning of the Civil Service Regulations, while members of the subordinate service should not come within the category even if their appointments are published in a Gazette. Accordingly all appointments which it is decided to include in the Provincial - Service shall be gazetted by the Local Government and the officers holding such appointments shall be held to be the gazetted officers within the meaning of the Civil Service Regulations, while those in the subordinate service shall, if gazetted at all, be gazetted by th heads of departments who have the power to make the appointments un- der the orders of the Local Government. The provinces where the - powers deligated to the heads of departments in respect of the latte class of appointments are exercised by the head of the Administratio himself, appointments of the officers in the subordinate service - shall if gazetted be notified in that part of the gazette in which notification of the heads of departments appear. It should be under- stood that notifications investing officers with powers under differ- ent Acts in order that the courts may take judicial cognizance of them, do not constitute the persons invested with such powers - "Gazetted Officers" within the meaning of the Civil Service Regula- tions.

(G. I. F. D. No.P.528 dated 12th December 1893.)

=======

Note:- (a) Mamalatdars should continue to be appointed by Commission- ers and should be regarded as Gazetted Officers with - effect from 2nd September 1910.

(Government Resolution, Revenue Department No.4427 dated 8th May 1912).

(b)

(b) Mamalatdars have been included in the Provincial Service subject to the condition.

(1) that the recruitment of the mamalatdars should be as at present laid down in the rules for the subordinate - Revenue Service.

(2) that the rules for appointment of the Deputy Collectorships will remain unaffected

(3) that the grading of the Deputy Collectors and mamalatdar shall continue to be separate and distinct as at presen

(Government of India Home Department.)

Establishment No.1212 dated 2nd September 1910 embodied in the Government Resolution Revenue Department No.10133 dated 7th November 1910 and Government Resolution Revenue Department No.111 dated 2nd February 1912.

=====

Superintendent, Records Section;
Comptroller's Office.

MSR/3-3.

G.R.S. VI–71]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

File No.

Serial No.

General and Revenue Secretariat

( )

, *the* 191

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue.....

Signed by.....

Read—

Correspondence ending with letter no 625/GAD dt 4th March 1921 from the Comptroller to Govt forwarding copies of letter from the Accountant General Madras Bombay etc the matter of the definition of Gazetted and Non Gazetted officers and enquiring whether the post of the Deputy Registrar of the Chief Court has to be treated as a Gazetted one.

Order Thereon—No

Govt direct that the post of the Deputy Registrar of the Chief Court be treated as a Gazetted officer.

May this be

i Printed ?

ii treated as a standing order ?

~~iii published in the Gazette, English Part ?~~

~~iv translated ?~~

~~v placed at the disposal of the press ?~~

~~vi published in the Gazette Kannada Part ?~~

15/8

20

the comptroller to Govt

the Secretary to Govt

the Registrar Chief Court with ack

S. O.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. J. 856-8 —Cts. 131-20-5, dated 20th August 1921.

Deputy Registrar, Chief Court.

Directs that the —— be treated as a Gazetted Officer.

READ—

Correspondence ending with letter No. 625—G A D, dated 4th March 1921, from the Comptroller to Government forwarding copies of letter from the Accountant-General, Bombay, in the matter of the definition of Gazetted and Non-gazetted officers and enquiring whether the post of the Deputy Registrar of the Chief Court has to be treated as a Gazetted one.

ORDER No. J. 856-8—CTS. 131-20-5, DATED 20TH AUGUST 1921.

Government direct that the Deputy Registrar of the Chief Court be treated as a Gazetted officer.

B. RAMASWAMAIYA,
Secy. to Govt., Rev. Dept.

To—The Comptroller to Government.
The Financial Secretary to Government.
The Registrar, Chief Court of Mysore.

Exd.—T. N.

WD 441—GPB—17-9-21—325